convicted on the date of filing the nominations?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) Certain proposals for strengthening Section 8 of the Representation of the People Act, 1951, including a proposal for disqualifying a person from the date the competent court frames charges against him in certain offences, would be discussed with political parties and Government would consider giving effect to such proposals on which consensus emerges amongst political parties.

Frequent Shifting of the Department of Company Affairs

1031. SHRI S. PETER ALPHONSE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Department of Company Affairs/Company Law Board recently attached to Law Ministry is functioning efficiently;

(b) how many times these Departments were shifted and attached to different main Ministries; and

(c) whether Administrative Reforms Commission has thought of this matter at any stage and steps taken to stop this type of shifting the Departments at regular intervals?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M.THAMBI DURAI): (a) Yes, Sir.

(b) Department of Company Affairs/ Company Law Board functioned under different main Ministries since 1955. These changes occurred ten times.

(c) In 1968, Administrative Reforms Commission recommended that the Company Law Administration should be placed back in the Ministry of Finance. This recommendation of Administrative Reforms Commission was not accepted by the Government on the ground that no hard and fast rule could be laid down in this regard.

The rules for allocation of business of the Government are made by the President in terms of the powers conferred by clause 3 of the Article 17 of the Constitution of India for proper transaction of the business of the Government. The business of the Government is transacted in various Ministries and Departments as per the allocation of the business specified in the Government of India (Allocation of Business) Rules, 1961. The decision if the Department should be independent or attached to Ministry is based on administrative convenience at a given point of time. This is a continuous exercise and the structure of Ministries/ Departments of the Government of India is in constant flux and evolving.

Electoral Reforms proposed by Law Commission

1032. SHRI KRISHNA KUMAR BIRLA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Law Commission has proposed far reaching electoral reforms and recommended to put a ban on splits and mergers of political parties during the term of Lok Sabha or Legislative Assembly;

(b) if so, whether Government propose to bring any further changes in the electoral reforms; and

(c) if so, the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) The Law Commission has not yet made any recommendation on electoral reforms to the Government. The Commission, however, has circulated a working paper

containing some proposals on electoral reforms for soliciting the views of various political parties, Election Commission, Legislatures, etc. One of the proposals contained in the working paper of the Law Commission relates to deletion of the provisions of 'split' and 'merger' from the Tenth Schedule of the Constitution of India.

राष्ट्रीय न्यायिक आयोग की स्थापना

1033. **श्रीमती सरोज दुबे:** क्या विधि, न्याय और कंपनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार का राष्ट्रीय न्यायिक आयोग स्थापित करने का कोई प्रस्ताव है;

(ख) यदि हां, तो ऐसे न्यायिक आयोग स्थापित करने के मुख्य उद्देश्य क्या है;

(ग) क्या ऐसे आयोग को राज्य स्तर पर भी स्थापित करने का विचार है; और

(घ) यदि हां, तो तत्संबंधी ब्यौरा क्या है?

विधि, न्याय और कंपनी कार्य मंत्री (श्री एम॰ थम्बी दुरई): (क) से (घ) शासन के लिए, राष्ट्रीय कार्यसूची की मदों में से एक मद, उच्चतम न्यायालय और उच्च न्यायालयों में न्यायिक नियुक्तियों के लिए सिफारिशें करने और न्यायपालिका के लिए आचरण संहिता तैयार करने के लिए राष्ट्रीय न्यायिक आयोग का गठन करना है। यह बता पाना संभव नहीं है कि किस समय तक इस बाबत विनिश्चय किया जाएगा।

राज्य स्तर पर ऐसा आयोग गठित करने के लिए कोई प्रस्ताव नहीं है।

New Benches of Gujarat High Court at Surat and Rajkot

1034. SHRI BANGARU LAXMAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to make justice available to the people at the door-steps;

(b) if so, the details thereof;

(c) whether Government of Gujarat have requested for establishment of new benches of Gujarat High Court at Surat and Rajkot;

(d) if so, the details thereof; and

(e) by when a decision will be taken?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) The matters relating to setting up of courts at District and lower levels are the concern of the respective State Government and High Court in accordance with the provisions of articles 233 and 234 of the Constitution of India.

(c) to (e) No porposal has been received from the Government of Gujarat in consulation with the Chief Justice of the Gujarat High Court in this regard.

Setting up of a Supreme Court Bench in Tamil Nadu

1035. SHRI S. AGNIRAJ: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a proposal is pending with Government for setting up a bench of Supreme Court in South India preferably in Tamil Nadu to case the work in Delhi;

(b) if so, what is the status of the proposal; and

(c) by when it is likely to be implemented to benefit the public coming from these far off places to plead their cases in Delhi?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) According to Article 130 of the Constitution, the Supreme Court shall sit in Delhi or in such other place or placs, as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

No proposal has been received from the Cheif Justice of India in this regard.